

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC, *et al.*,<sup>1</sup>

Debtors.

Chapter 7

Case No. 23-10253 (KBO)  
(Jointly Administered)

GEORGE MILLER, Chapter 7 Trustee of the  
bankruptcy estates of Akorn Holding Company  
LLC, *et al.*,

Plaintiff,

v.

CENCORA, INC. f/k/a  
AMERISOURCEBERGEN DRUG  
CORPORATION, MWI VETERINARY SUPPLY  
CO.,

Defendants.

Adv. Proc. No. 24-50043 (KBO)

**Related Adv. D.I.: 1 & 41**

**CERTIFICATION OF COUNSEL REGARDING FURTHER EXTENSION  
OF TIME FOR DEFENDANTS TO ANSWER, MOVE, OR OTHERWISE  
RESPOND TO COMPLAINT**

The undersigned counsel to the above-captioned plaintiff (“Plaintiff”) and defendants (“Defendants”, and together with Plaintiff, the “Parties”) hereby certify as follows:

1. On April 15, 2024, Plaintiff commenced the above-captioned adversary proceeding by filing the *Complaint for (I) Payment of Goods Sold and Delivered, (II) Breach of Contract*,

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<sup>1</sup> The Debtors in these Chapter 7 Cases, along with the last four digits of each Debtor’s federal tax identification number, are: Akorn Holding Company LLC (9190); Akorn Intermediate Company LLC (6123) and Akorn Operating Company LLC (6184). The Debtors’ headquarters was located at 5605 CenterPoint Court, Gurnee, Illinois 60031.

*(III) Account Stated, (IV) Unjust Enrichment (In the Alternative), (V) Turnover of Accounts Receivable, and (VI) Disallowance of Claims* [Adv. D.I. 1] (the “Complaint”).

2. On April 17, 2024, Plaintiff served the Complaint, together with the Summons filed on April 17, 2024 [Adv. D.I. 8], on Defendants.

3. Pursuant to the *Order Further Extending the Time for Defendants to Answer, Move, or Otherwise Respond to the Complaint* [Adv. D.I. 41], Defendants’ deadline to respond to the Complaint was on or before October 4, 2024 (the “Response Deadline”).

4. The Parties have agreed to further extend the Response Deadline through and including October 18, 2024. Pursuant to Rule 7012-2 of the Local Rules of Bankruptcy Practice and Procedure of the United States Bankruptcy Court for the District of Delaware, the Parties respectfully request that the Court enter an order, substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), extending the Response Deadline.

*[Remainder of Page Left Intentionally Blank]*

WHEREFORE, the Parties respectfully request that the Court enter the Proposed Order at its earliest convenience.

Dated: October 7, 2024

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